

SEP 11 2006

## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : James JAQUITH et al.  
FOR : NEUROPROTECTIVE BENZO[1,3]OXATHOL-2-ONES  
FILED : July 29, 2004  
SERIAL NO. : 10/564,941  
GROUP ART UNIT : 1626  
CUSTOMER NO. : 49580  
ATTORNEY DOCKET NO. : 129-PCT-US

Montreal, Quebec, Canada  
September 11, 2006

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTIFICATION OF INSUFFICIENT FEES AND**  
**PETITION TO CORRECT FILING RECEIPT**

Sir,

The present is in response to the Notification of Insufficient fees (copy enclosed) dated July 11, 2006.

The U.S. Patent and Trademark Office is hereby authorized to charge the missing amount of \$25.00 for the required additional claim fee to our Deposit Account no. 501644

Also, the total of claims as it appears on the filing receipt is incorrect. The total of claims filed are **22** and not 20 as it appears on the filing receipt.

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Furthermore, Applicant notes that the filing receipt states the Power of Attorney as none. Applicant therefore hereby re-submits, for registration, four (4) Power of Attorneys signed by the applicants.

Applicant also hereby requests that the names of the applicants as shown on the filing receipt be corrected to reflect the inventorship of the priority case no. PCT/CA2004/001421, namely the name of the inventors should be James JAQUITH; Gerald VILLENEUVE; Patrick BUREAU and Alain BOUDREAU.

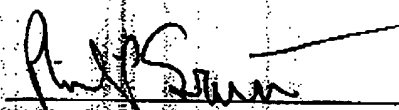
Finally the title of the application should be **NEUROPROTECTIVE BENZO[1,3]OXATHIOL-2-ONES** and not "Neuroprotective benzo 1 3 oxathiol 2 ones" as it appears on the filing receipt.

Applicant respectfully requests that the updated filing receipt reflect the corrections as mentioned above.

If any extension of time is necessary, the United States Patent and Trademark Office is hereby petitioned for such an extension and may charge any necessary fees to our Deposit Account no. 501644.

If any further fee, whatsoever, with respect to the present application is due, the United States Patent and Trademark Office is in any event hereby authorized to charge such further amount to our Deposit Account no. 501644.

Respectfully submitted.



Philip A. Swain, Ph.D.

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Encl. Copy of notification

Power of attorney (4 pages)

Copy of filing receipt with correction outlined

IAP7 Rec'd PCT/PTO 11 SEP 2006

Gowling Lafleur-Henderson LLP | Barristers &amp; Solicitors | Patents/Trade Mark Agents |

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CENTRAL FAX CENTER****SEP 11 2006**1 Place Ville Marie  
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www.gowlings.com**Facsimile****To:** Notification of insufficient fees**Company:** USPTO**Fax Number:** 571-273-8300**Telephone Number:****From:** Philip Swain**Telephone Number:** 514-392-9562**Date:** September 11, 2006**Re:** U.S. Application no. 10/564,941**Total Pages:** 12 (including cover)**File Number:** 129-PCT-US**CopyTrak #:** 8874**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Page 2 of 2

**DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5).

*A copy of this notice **MUST** be returned with the response.*

ANITA D JOHNSON

Telephone: (703) 308-9140 EXT 226

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	FILED DOCKET NO.
10/564,941	PCT/CA04/01421	129-PCT-US

FORM PCT/EO/923 (371 Formalities Notice)